IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

Con.Case(C).No. 65 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.10434/2004 Dated 25/05/2004

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PETITIONERS/PETITIONERS

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1. K.V.RAVEENDRAN,
   PRASANNALAYAM, KUTHUPARAMBA, KANNUR DISTRICT.

2. K.V.SADANANDAN,
   DO.

3. K.V.PRASANNAN,
   -DO-.

4. V.RADHA,
   -DO-.

BY ADV. SRI.K.V.SOHAN

RESPONDENTS: 2ND RESPONDENT

SRI.S.PREMANANDAN,
AGE AND FATHER'S NAME NOT
KNOWN TO THE PETITIONERS)
SPECIAL TAHSILDAR (LA),
KERALA HOUSING BOARD, KOZHIKODE.

BY GOVT. PLEADER MR.THOMAS JOHN AMBOOKAN

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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Cont. Case (C) No.65 of 2007

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Dated: 26th July, 2007

JUDGMENT

A counter affidavit has been filed by the respondent. The explanation offered for not complying with the directions in my judgment on time are that the basic judgments in LAR Nos.26/94 to 31/94 on the basis of which the application under Section 28A was filed by the petitioners, was corrected by the Sub Court, Thalassary and that the respondent is yet to obtain certified copy of the corrected judgment in LAR Nos.26/94 to 31/94. The stand of the respondent that it will be possible to pass award on the basis of the application under Section 28A submitted by the petitioners only after certified copy of the corrected judgment in LAR Nos.26/94 to 31/94 is obtained cannot be said to be wrong. But at the same time I feel that the respondent has not done everything possible at his end for obtaining certified copies of the above corrected judgment early so as to ensure that the directions in my judgment are complied without further delay. Nevertheless since it cannot be said that the stage has already come for initiation of action against the respondent under the contempt jurisdiction, I close the Contempt of Court Case issuing the following directions:

The District Government Pleader, Thalassery is directed to obtain certified copy of the corrected judgments and decree in LAR Nos.26/94 to 31/94 immediately and forward the same to the respondent. The respondent will upon receiving the same take up the matter for obtaining approval of the District Collector for the award to be passed in the petitioners case and ensure that the District Collector's approval is obtained so that the directions in my judgment are complied with as early as possible. The petitioners are permitted to move this court again under this jurisdiction after a period of four months from today. Handover a copy of this judgment to the counsel for the petitioners who is permitted to place the same before the District Government Pleader, Thalassery.

srd **PIUS C.KURIAKOSE, JUDGE**